COURTS STAR STO OF

dent to direct that the appropriation of \$200,000 for the arming and equipping of the militia of the States might be used temporarily for the purposes of national armories. He had a copy of that opinion in his possession, had examined it, and concurred fully in the measures recommended by the Attorney General, for the act making an appropriation of \$200,000 for the arming and equipping of the militia was in fact a power vested in the Ordnance department, by which it might be applied either to the manufacture of arms or to the purposes of the national armories. Acting upon the authority of the Attorney General, the President directed the temporary use of this fund for the purposes of the national armories, in the expectation that Congress would at the earliest moment rectify the omission which made it necessary.

Mr. STANTON, of Ohlo, said he had not obtained any information to satisfy him that the whole amount ought to be granted. He did not understand that there was any necessity for \$200,000 for arms for the States, for those arms had already been manufactured, and it was not claimed that \$200,000 could now be expended for the militis during the fiscal year. Seven months of the fiscal year were now gone, and gentlemen still asked for the whole appropriation for the remaining five months. In conclusion, he moved to amend the bill by striking out \$360,000 and inserting \$180,000.

Mr. CHAFFEE, of Massachusetts, remarked that he had learned that the mechanics of the Springsield armory had not been paid for their labor. It was a simple act of justice, and should have been the first act of Congress.

Mr. MARSHALL, of Kentucky, said they had a law upon the statute-book which laid down the manner in which a sum appropriated by Congress should be transfered from one point of service to supply another point of service in the same department—as, for instance, the transfer of national arms to supply the millits, and we evidence of that fact; for if so, it was the duty of the President to have complied with the law, and t

Mr. HUGHES, of Indiana, moved the previous ques Mr. HUGHES, of Indiana, moved the previous ques-tion; which was sustained—ayes 78, nays 51.

Mr. FAJUKNER, of Virginia, then addressed the com-mittee at length in answer to the objections that were urged against the bill.

The question was then taken on the amendment of the gentleman from Ohio; and it was not agreed to—yeas 86, nays 105—as follows:

gentleman from Ohlo; and it was not agreed to—yeds 86, nays 105—as follows:

YEAS—Hassra Abbott, Anderson, Atkins, Bennett, Billinghurst, ningham, Blair, Boyce, Burroughs, Campbell, Case, Erra Clark, Cobb. Covode, Cragin, Burlon Craige, Curry H. Winter Davis, John G. Davis, Timothy Davis of Mass., Timothy Davis of Iowa, Dean, Bewart, Bodd, Durloe, Fenton, Foley, Foster, Garnett, Gildings, Gilman, Gilmer, Goodwin, Granger, Groonwood, Grow, Lawrence W. Hall, Harim, Hill, Houston, Howard, Kebey, Rilgore, Leach, Letter, Loveby, Modgeen, Humphrey Marshall, Maynard, Moore, Morgan, Edward Joy Morris, Isaac N. Morris, Presenna H. Morsa, Mot, Nichols, Olin, Palmer, Baac N. Morris, Presenna H. Morsa, Mot, Nichols, Olin, Palmer, Braker, Peyton, Pike, Pottle, Brady, Risonol, Soward, Henry M. Shaw, John Sherman, Spinner, Stanton, William Stewart, Tabbot, Tappan, Thompseu, Tompkina, Trippe, Underwood, Wade, Walbridge, Walfrou, Walhon, Elliu B. Washibarne, Israel Washbura, Walkins, Wood, and Wortentyko—38.

NAYS—Mosser, Adrain, Ald, Androws, Aspoid, Avery, Barksdale, Rlair, Booce, Bowie, Braylon, Bullinton, Barlingane, Barne, Cakie, Chaffee, Chapman, John B. Clark, Clawson, Clay, Clemens, Chingman, John Cochrane, Cockeefl, Editar, Comins, Carving, Cox, James Crasic, Crawford, Curtis, Pamrell, Davidson, Reuben Davis, Dowdell, Elmundson, Faulkner, Florence, Gooch, Goode, Greg, Thomas L. Harris, Hatch, Hawkine, Hickman, Hoard, Hopkine, Horton, Jackson, Jensen, Johns, Christoft, J. Glany, Jones, Owen Jones, Kelt, Kellogz, Knapp, Jacob M. Kunkel, Lamdy, Lawrence, Letcher, Maclay, McKibbilu, Samisleton, Robert Smith, Salley, Milson, Montgomery, Morrill, Oiver A. Morse, Niblack, Pendiston, Phelps, Phillips, Potter, Fowed, Purvance, Quilman, Resagan, Reilly, Milson, Montgomery, Morrill, Oiver A. Morse, Niblack, Pendiston, Phelps, Phillips, Potter, Fowed, Purvance, Lather, Santer, Sectenson, James A. Slewart, Miles Taylor, Thayer, Warreh, Cadwalader C. Washbures, White, Whiteley, Winslow, Woodson, and John V. Welcher. 206.

The bill was then read a third time and passed.

Mr. BOYCE, of South Carolina, under a suspension of e rules, submitted the following resolution; which was

iz:
The reduction of the expenditures of the government.
The navigation have of the United States.
The existing duties on imports, and the expediency of a gradual regal of all duties upon imports, and resorting exclusively to internal

On motion of Mr. | HELPS, of Missouri, the House ent into Comm. the of the Whole on the state of the

Union-ayes 80, noes 68-(Mr. Davis, of Indiana, in the chair,) and resumed the consucration of the bill to appropriate money to supply deficie, wies in the appropriations for paper, printing, binding, and engraving ordered by the Senate and House of Representatives of the Thirty-third and Thirty-fourth Congresses; the question being on the following amendment to the amendmen submitted by Mr. Caawoord, of Georgia: ed the coni To pay for the paper, \$104,000.

To pay for the printing ordered by the Scinate and House of Rejectatives of the 33st and 34th Congresses, \$47,619 04.

To pay for hinding, lithographing, and engraving, \$104,509 04.

And that the public printer shall not print any further report.

The results of the Distinct States astronomical exceptions to the so

the United States astronomical expedition to the south slaphere, nor of explorations and surveys to ascertain the scienble routes for a railrund to the Pacific ocean, nor to sur-boundary line between the United States and Mexico, other a reports now in writing in his faunts for publication. The question was taken, and the amendment to the mendment was not agreed to—ayes 60, noes 72.

The question recurring upon the amendment,
The question recurring upon the amendment,
Mr. SANDINGE, of Louisians, submitted an amen
ment, providing that no money shall be paid for wor
for which contracts have not already been made,
took it for granted that the committee did not desire
its action to lay aside any contract made in complias
with the laws heretofore passed. He hoped the Ho
would vote down the amendment of the gentleman for
would vote down the amendment of the gentleman for tion to lay have been been as a superior passed. He hoped the passed in the gentleman for yote down the amendment of the gentleman facky, [Mr. BURNETT,] and then, it mattered not you are not well as the passed frag.

question was then taken on the amends

The question was then taken on the amendment to the amendment, and it was not agreed to.

The question recurring upon the amendment, Mr. SMITH, of Tennesses, said some gestlemen were much mistaken with reference to the subject of public printing. It would be conceded by every member that when any officer of the government has made a contract under a resolution of the House in the line of his duty, although he might have committed fraud, the government was legally bound for every contract, and they could no more reject it than their private debts. If they refused now to pay this money, for the next ten 'years they would be called upon to pay damages to which these claimants would be entitled. Why not now appropriate money to pay all the expenses incurred heretofore! They were bound to do it. He had voted against these resolutions for the printing of books, but he would as soon repudiate his own private debts as to refuse to pay this money. He was not in favor of making Congress a book concern; but as they had this money to pay, let them pay it, for that was the cheapest way of getting out of their own folly.

Mr. GROW, of Fennsylvania, declared that they had the same appeal made to them all along upon deficiency bills which the Executive had promised to pay. So long as they permitted the executive officers of the government to exceed the appropriations allowed them, they were allowed to control the appropriations of money.

Mr. LETCHER asked if Congress did not mean to pay for them, while it est there and permitted them to be printed, and the gentleman amongst the number.

Mr. GROW replied that they were partly to blame; but the executive officers carns there every Congress with a deficiency. They ordered the finat volume to be published,

After brief remarks from Mesers NICHOLS, of Ohio, and BURNETT, of Kentucky.

Mr. CRAGIN, of New Hampshire, moved to amend the amendment so as to provide that the further publication of the results of the United States naval astronomical expedition to Chili should be discontinued.

Mr. PHILLIPS, of Pennsylvania, said if the debts had been contracted by them for work ordered it did not them to say at this time that they would not

The question was taken on the amendment to the

The question was taken on the amendment to the amendment, and it was lost.

The question being on the amendment of Mr. Garrer, of Virginia, further discussion ensued; when.

Mr. MAYNARD, of Tennessee, submitted an amendment providing that hereafter no payment should be made except for work already done, or partially done, unless the same shall first be specifically sanctioned and the prices stipulated by the appropriate committees.

The amendment was not agreed to.

The question recurring on the amendment, after further remarks by Messrs. SINGLETON, of Mississippi, and WARREN, of Arkansas.

Mr. SEWARD, of Georgia, submitted an amendment to the amendment, providing that the money appropriated by the bill should be received in full for all work ordered by the 33d and 34th Congresses, and then only under legal contracts to be determined by the Secretary of the Treasury.

After some debate, the amendment to the amendment

After some debate, the amendment to the amendment was agreed to—ayes 78, noes 43.

The question being upon the amendment as amended, the committee rose and the House resumed its session.

Mr. LANE, of Oregon, by unanimous consent, presented the constitution of Oregon, and it was referred to the Committee on Territories and ordered to be printed.

Mr. PARROTT, of Kansas, by unanimous consent, presented joint resolutions of the legislature of Kansas, solemnly protesting against the admission of Kansas under the Lecompton constitution, and praying for its admission under that adopted at Topeka; and they were laid on the table and ordered to be printed.

Mr. WARREN. of Arkansas, asked consent to submit the following resolution:

Resolved, That, from and after the passage of this resolution, all de bare in Committee of the Whole on the state of the Union shall be strictly confined to the bill or resolution submitted to the committee except that Monday, Wednesday, and Friday nights be set apart for the discussion of the Union generally, or all such matters as members may be disposed to debate.

Objection being made, Mr. WARREN moved a suspension of the rules; pend mg which
Mr. CLINGMAN, of North Carolina, moved that the

Mr. CLINGMAN, of North Carolina, moved that the House adjourn.

Before putting the question,
The SPEAKER laid before the House a message of the President of the United States, submitting a report of the Secretary of the Interior, with accompanying papers, in compliance with a resolution of the 18th ult., requesting the President to communicate whether the census of Minnesota had been taken in accordance with the act of Congress providing for the admission of Minnesota; which was referred to the Committee on Territories and ordered to be printed.

Also, a communication from the Secretary of the Treasury in reply to a resolution of March 3d, 1857, relative to a revision and modification of the revenue laws; which was referred to the Committee on Commerce and ordered to be printed.

which was referred to the Committee ordered to be printed.

Also, a communication from the War Department, in answer to a resolution of the 26th ult., relative to the cost and completion of the Delaware breakwater; which was referred to the Committee on Commerce, and order-

was reserved to the committee on commerce, and ordered to be printed.

Also, a communication from the War Department containing an abstract of the returns of the militia; which was laid on the table and ordered to be printed.

Also, a letter from the Secretary of the Treasury transmitting a letter from the Postmaster General asking for additional appropriations; which was referred to the

mitting a letter from the Postmaster General asking for additional appropriations; which was referred to the Committee of Ways and Means, and ordered to be printed. Also, a report from the Court of Claims transmitting certain reports, of which those adverse to the claimants were placed upon the calendar, and those favorable were referred to the Committee on Claims.

By Mr. FLORENCE: The measurial of Mary Ann Henry, widow of the te Captain Henry Henry, U. S. navy, praying Congress to grant her pension: referred to Committee on Bivalid Pensions. By Mr. COMING: Notice of a bill to provide for the construction of a narine hospital in the city of Albany, State of New York.

THE ACQUISITION OF CUBA.

In the Senate yesterday a memorial was presented by Mr. Doolittle from the citizens of Appleton, Wisconsin, in favor of the acquisition of Cuba. It is signed by ninety-seven persons. The following is a copy of this

To the Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of Appleton, Wisconsin, respectfully ask your honorable body to take the necesspectuary ask your nonorable body to take the neces-sary steps to purchase the island of Cuba, and annex the same to the United States.

Ist. Because no foreign power of a monarchical spirit or tendency has any right to a foothold on this conti-

nent.

2d. Because Cuba is the key of the Gulf of Mexico, and therefore it should be in the possession of the Ameri-

an government.

3d. Because of right the whole continent should be brought into our Union just so soon as the same can be done without dishonor to the American people. 4th. Because the first law of Nature is self-preserva-

tion; and therefore In case Spain utterly refuses to sell her interest at a fair valuation, and continues to be the tool of France and England alternately, and longer tolerates the African slave trade with all its attendant horrors, and makes the possession of that island essential to our peace and domestic tranquillity, to the safety and security of our commerce, and the permanency of our national Union, we ask your honorable body to adopt the necessary steps to take possession of Cuba, or to authorize us, "our heirs, executors, administrators, or assigns" to do it in your behalf, and to allow Spain a fair per-centage over and above her actual expenditures by her made upon said island.

"God and Liberty!"

APPLETON, December 31, 1857.

THIRTY-EIGHTH INSTALMENT.-Now in store

of cases sames control.

It is allowed to the control of pieces at centa per pard.

Of pieces at centa per pard.

Of pieces at centa per pard.

Of pieces of our extra heavy everlasting shirting cotton.

For medium up few York mills, water twist, and English long cloths.

cases cotton sheetings and pillow cottons, the best grades, of all the

all the proper widths and qualities linen sheetings and pillow

able to the consumer. orged.

not opening any new accounts.

bills will be settled before beginning new

In future all accounts who are the continued Gauncial derangement and general shortening of credits, and the absence of banking facilities, suggests the propriety of the ourse we alopt.

It is our purpose to make our trade as near a cash business as possible without disturbing the pleasant relations which have existed be come many of our customers and ourselves for a long series of years. e pleasant relations which have considers and ourselves for a long series of year PERRY & BROTHER,
"Central Stores," west building,
opposite Centre Market.

RE generally advantageous to owners, in en abling them to dispose of many old styles, undesirable color, and short patterns of SILKS AND DRESS GOODS.

a nice profit on the original cost—purchasers, in this way, have a opportunity of examining their purchases at the time of buying. HOOF, BROTHER, & CO. are now offering the newest, freshest, and most elegant

FANCY DRESS FABRICS one half the cost of importation, and at one third less than the as ods would resize if sold at

PUBLIC AUCTION Ladies, call and examine the superb consignment of novelties non exhibition on our second floor; the colorings are desirable, thy lose sutrely new, all in full-dress lengths, and the prices ruinous is owners. Jan 30 34. Pennsylvania avenue, between 5th and 9th at-

GEORGE W. BREGA, ATTORNEY AND COUNSEL-

WASHINGTON CITY. THESDAY MORNING, FEB. 2, 1868.

tip Mr. Israki E. James, of Philadelphia, is our general travelling ut, assisted by James Dergore, John Coulins, J. Harrier, Educati Wiley, John K. Derrico, F. A. Evans, R. S. James, T. Ariman, P. Vavis, R. T. Roberto.

Ag-Mr. C. W. James, No. 1 Harrison street, Cincinnati, Ohio, is

General collecting agent for the Western States and Texas, assisted by H. J. Thomas, Whilaw H. Thomas, Thom M. James, Dr. A. L. Chuin George Morres, and Richard Learn. Receipts of either will be good.

AN APPEAL TO THE DEMOCRACY.

It is hardly two years since a great controversy arose between the democracy and the republicans upon the question of the legitimacy of the territorial covernment of Kansas. That controversy was forced ipon us by the republicans, whose banners were unfurled for the great battle of 1856 in about half the States of the Union. The corner-stone, foundation and superstructure of their party was opposition to slavery. It was avowedly an anti-slavery party. Its creed was planted alone in the free States. It repudiated all the slave States. It denied communion with them, reprobated and condemned their local institu tions, and avowed utter hostility to the policy and principles which guided their conduct in their federal relations. It was essentially a disunion party. It sought to make either the North or the South a subject people. It would admit of no compromise such as had united us into one nation and conducted us through a career of prosperity wholly unknown to any other people. It sought to discredit the patriotic democracy of the free States, who would cling to the constitution as the Apostles of old clung to the religion of the new covenant. They were charged with an abandonment of their own people, as if the Union was already divided, and with sympathy and traitorous friendship for a public enemy. The whole scheme by which the republicans sought to possess control over the affairs of the federal government was based upon the radical idea that the North and the South were political, commercial, and social enemics. No effort was spared to poison the fountain of public opinion, so as to produce a corresponding condition of popular sentiment; a powerful press, ten thousand orators, representative men, all the ma-chinery of party, the fanaticism of the palpit, a prostituted judiciary, State legislation, incessan alarms and misrepresentations, indicate the great object and scope of the conspiracy by which the re-

The power which was to aid them to attain this result was the conceded majorities of the North The division of the people there into two equal partsone seeking to discharge the obligations of the federal constitution, the other intent upon schemes of ambition and injustice-rendered the latter powerless in action and contemptible in scheme. The only possible means of success was to be found in driving the two sections of the country into conflict. This could be accomplished alone upon some great issue, like that of slavery, in reference to which the opinions of the parties had been imbibed is their cradles and been made the subject of vehement, and, too frequently, of most irrational controversy. It was at first determined to seize upon the repeal of the Missouri Compromise, as that law assumed to create a barrier between the two sections of the Unionkind of political North and a political South-and to raise the hue-and-cry upon the question of its restoration. But it was a mere abstraction. It was dead Even legal sanctions and party stimulants could not give it life and action when restored. It was abandoned, and the whole force of the republicans was thrown upon Kansas. Order was given to prevent the establishment of territorial government under the act of 1854, which repealed the Compromise. If that was impossible, the authorities thus brought into existence were to be annoyed by every conceivable device. The republicans in the Territory were instructed by their leaders out to use the most effectual means to thwart and embarrass their local government. Meanwhile recruiting stations were opened all over the free States, money was collected, the press set to howling, the pulpit to praying, gossips

publicans were to rule or ruin the government.

to lying, and the telegraph to spreading the fearful Such was the game played to alarm and agitate against that people. the North-such the means employed to prostitute its public sentiment, to poison the very fountains of patriotism, and to alienate the democracy from their adhesion and devotion to the standards they had borne in triumph through so many battles. Kansas itself was nothing. Its people were of no account. They might have starved without eliciting a single appeal from Mr. Beecher-without receiving a sin gle loaf of bread from the whole army of counterfeit humanitarians who carried on the canvass of 1856. The game was played for the presidential stakesfor the offices, not even including the honors of the presidency itself, which was to be conferred upon an incumbent who was to take the title in consideration for acting as trustee for his party leaders.

For more than two years the democracy, w nited and indignant voice, has warned the people of the whole country of the purposes of the republicans to which we have referred. They have steadily maintained the legality of the territorial government of Kansas. Gen. Whitfield came here claiming seat in Congress by virtue of the action of the people under that government. A majority of the House to which he addressed his credentials were republicans. His seat was contested. The decision was in his fav or. What democrat faltered in maintaining the right of Whitfield to his seat? Who then dis claimed the legality of the territorial government? When Mr. Buchanan came into office there was not a democrat in the whole country who did not approve his instructions to Gov. Walker to recognise fully the binding force of the territorial laws; and we know of none who did not then denounce the repub- no competitor with it for the honors of legitimacy. licans in every step they had taken in Kansas, and especially every act by which they proposed to supersede the territorial system by that of Topeka. All the questions which are involved in the present dispute are legal questions, and have been decided against the republicans. They are not questions of fact but of law. Our opponents thenselves admitted Whitfield to his seat. If the territorial government was illegal he had no right there, no matter what may have occurred subsequently. The democracy is committed, then, to the regularity of all the proceedings up to final action upon the Lecompton constitution. It will not do to say that the legislature legislature chosen at the same time that General It has been the position of The Press for two Whitfield was returned to Congress and that the pro-

ceedings under it were illegal and void. We must not maintain the regularity of the authorities up to the time Mr. Stanton says that his removal from the

THE PHILADELPHIA PRESS AND KANSAS.

THE PRESS has suddenly discovered that the Unio onsiders the people of Kansas unfit for self-government. It starts up at the conception with the shout "Eureka !" and scampers through a column of ecstasy in as unseemly a manner as that in which the ancient philosopher rushed through the streets of Syracuse on leaping from his bath-tub. The best treatm we can imagine for The Press is to bring it back to a cold bath of matter-of-fact and common sense; though we doubt whether Dr. Preisnitz is in very high repute with the Faculty whose atmosphere and esprit du corps animate The Press.

By way of bringing it home to reason, we extract or examination the least rhapsodical passage we can find in its last Saturday's leader, containing a statement of its novel notion :

ment of its novel notion:

"The philosopher's stone has been discovered—Eureka!

After all the dissertations of the learned doctors at Washington—after all the cataract of words and ideas which has poured from orators and organs—Kansas is to be settled by the application of the principle that the people of that Territory are not fit for self-government. O O O

"The ingenuity and novelty of the argument of the Union in coupling Utah with Kansas, and of making James Lane the people of Kansas, overwhelm us with gratitude. We had not seen it so. We were stupid enough to think that Utah was in arms in support of a monstrous moral ulcer; a shameless crusade upon decency; and that all Christian men and women stood ready to applaud the government in rooting out that nest of vipers. And we did not perceive that Kansas was equally infamous, and that the offence of Utah was rather overridden by the mammoth infamy of Kansas. But we are now given to behold the connexion, and we humbly repeat our thanks to the Union. It is a national benefaction to have an organ that makes what seemed so doubtful and so dark so clear to common eyes.

"These premises being established—eidlicit, that the people of Kansas are not fit for self-government, and that they are no better than the brute brigands of Utah—what next? Our master and our Mentor of the Union tells that 'a common responsibility rests on all democrats, as well in office and out of office, to quell these rebellions.

that 'a common responsibility rests on all democrats, well in office and out of office, to quell these rebellion [in Utah and Kansas,] and to restore law and order both Kansas and Utah."

The Union, it seems, is for quelling the rebellio in Utah and Kansas; therefore, remonstrates The Press, the Union holds the people of Utah and Kansas alike "unfit for self-government."

It seems to be the mode of dealing with these Territories which we recommend that convicts us of lasa majestatis against their people.

Well, the Union's mode of proceeding against Utah s by military force, and we admit that there is son plausibility in the charge that such a recommenda tion is a virtual denial to that people of fitness for self-government. But, happily for our defence, our enthusiastic cotemporary of Philadelphia agrees with us in that particular matter, if, indeed, he be a 'Christian man ;" for he confesses he was "stupid mough to think that Utah was in arms in support of nonstrous moral ulcer; a shameless crusade upon decency; and that all Christian men and women stood ready to applaud the government in rooting out that nest of vipers." That's our cotemporary's language, and we confess it expresses our sentiments precisely. So that, in regard to Utah, there is nothing monstrous in any inference that can be drawn

And now for the case of Kansas. Does the policy which we recommend as to her, contain a denial of We recommend her immediate admission as a State at the thought that Congress is about to force upo into the Union. So far from denying the fitness of the people of that Territory a constitution for their her people for self-government, we urge that they government, and are crying out most lustily that shall be immediately clothed with the vestments of sovereignty, and armed with all the prerogatives incident to that august condition. Why, we have been right to mould their domestic institutions taken to task for this recommendation, on the very ground that the admission of Kansas as a State would bring the rebels. Lane and Robinson, here as senators instead of as culprits. It is at the very moment that a junior oracle of the new school of congressional interventionists in territorial affairs is taking us to task on this score, that the elder oracle in Philadelphia objects, on the very opposite score, that we are for robbing the people of Kansas of the franchises of self-government.

Here, indeed, is the whole fallacy-we might say tupidity-of the outery against the immediate adnission of Kansas as a State. She is before Congress with but one constitution. She presents herself with a constitution framed by a legitimate body, authorized by a legitimate authority, and recognised as legal by thirteen thousand voters-almost the entire vote in the Territory. It is a constitution whose legitimacy is traced up without break or flaw to the original fountain source of the organic act of the Territory. There is no bar sinister in its genealogical pedigree. It is the offspring of the law and constituted authorities. It is the sole offspring. There is

Unless Kansas be admitted under this constitution she cannot be admitted at present at all. We urge its immediate admission under the only constitution under which immediate admission is asked or can be allowed; and The Press is struck with the bran new thought that we are thereby denying the fitness of the people of Kansas for self-government.

If we may adopt its own mode of wresting conclus by violent inference, it is The Press which denies the fitness of the people of Kansas for self-government, seeing that it opposes the prompt adm Territory as a State, and insists that Congress shall intervene in its domestic affairs. That fact is of the 19th February was legally constituted—the no new Eureka to us: it is a sober second thought.

when their action becomes decisive, and then plead of secretary of the Territory of Kansas was made unto the jurisdiction. We agreed to the principle of der circumstances which imply severe censure of that city on the evening of the 25th ultimo, which non-intervention. We did not say non-intervention himself on the part of the President, and having had was addressed by William Walker. His speech was if suited, intervention and congressional dictation if no official information of his removal, "nor any oppor- not suited. We did not say legal if you decide with tunity for explanation or defence," he deems it ne- livery. A preamble declaring that Captain Paulding us, and illegal if you decide against us. Hends I cessary to speak for himself. On the 22d of December of Congress and the constitution in the arrest of braska bill. We may differ about the question of correspondence and documents in the hands of the Walker; that it was the duty of the President submission, but that is not our affair. Congress agreed government relating to affairs in Kansas. We find bring him to trial for such offence; and that, having to "leave" the people of Kansas to make their own in these papers Gen. Cass's letter to Mr. Denver, dated government. We think that agreement should be ful- the 11th of December, in which, after reminding Mr. and specifications against him through Congress filled; and we appeal to the representatives of the Denver that he had previously communicated to him the Secretary of the Navy, was adopted, and also the democracy; we appeal to the country, to give effect | the fact of the removal of Mr. Stanton, proceeds: "I democracy; we appeal to the country, to give effect to the act of 1854, the honest enforcement of which will at once drive slavery out of Congress forever.

We must not put a piece of black stone here, and a stances connected with the adoption of the Lecomposite of the country, to give effect the fact of the removal of Mr. Stanton, proceeds: "I subjoined resolutions.

1. Resolved, That a committee of five gentlemen be appointed by the chair to draught charges and specifications implicating the military character and conduct of Commodore Hiram Paulding, and forward the same to the Secretary of the Navy, demanding an investigation of said piece of white stone there, as Banks says. We are ton constitution and its proposed submission to the right or we are wrong upon the legal questions in- people on the 21st of December, regarding it as an volved. The work of framing a constitution was authorization and legal proceeding throughout, and wholly devolved upon the people of Kansas or upon distinctly maintaining that the local executive had Congress. We must take the decision as it reaches no right to interfere with the conflicting opinions us through the constituted authorities of the for- prevailing in the Territory on the subject. The time had passed, in the judgment of the government, whe interference with the mere local concerns of the peo ple was either proper or tolerable. Entertaining these views, the proclamation of Mr. Stanton calling together the territorial legislature was an act cor licting with the policy of the administration, and well calculated to embarrass the whole subject without, in any event, subserving the peaceful measures of adjustment which had been adopted by the gov-

> Mr. Stanton distinctly understood that it was the ettled policy of the President to recognise the valid ity of the territorial organization and laws, and amongst others the act of the 19th of February directing the election of delegates in June following. The President was equally explicit in maintaining that a refusal to vote could be regarded only as an endorsement of the representatives elected. Mr Stanton will not contend that such was not his construction of the law. He insisted before the people of Kansas that those only who voted at elections could be regarded as having a right to control the politics of the State. In his proclamation of the 8th of December he says : "The refusal of the majority to go into the election" of the 15th of June "was unfortunate "

Now, it does not appear that the government with held from Mr. Stanton the reasons which dictated his removal; nor does Mr. Stanton in his letter afford us any explanation by which the conduct of the ad ministration is justly open to complaint. He maintained, officially and unofficially, the regularity and legality of the territorial government, including es pecially the act of the 19th of February and the election of the 15th of June. Now, we desire to know when the acts and laws referred to became ille gal and void? If they were legal, the authority of the convention was unquestionable; and if that was so, Mr. Stanton can hardly justify a volunteer effort o embarrass the election called in obedience thereto-Mr. Stanton undertakes to account for the very small vote cast on the 15th of June. He alludes to the "disfranchised counties," where the census and

registry were very imperfect-in many of the counties wholly omitted. We admire the candor which touching this matter, gives us a flood of light. Mr. Stanton says: "Nevertheless, it is not to be denied that the great central fact which controlled the whole case was the utter want of confidence by the people in the whole machinery of the territorial govenrment." In other words, they would have no census, no registry, and would not vote if they had. This is certainly a "central fact," and we have no doubt at all of its entire truthfulness. It is in har mony with the non-voting policy which sought to wield the mystery of non-action as a moral lever overthrow the government and the elections. Mr. Stanton, from being a rigid lawyer, became a moralist. Voting with him got into disrepute. It is true he thinks the refusal to vote in June "was unfortu nate :" but is not so clear that voting was fortunate We certainly think Mr. Stanton, with very good intentions, got a little muddled. Gov. Walker advised

voting on the 4th of January, and at all times -so the

papers in Kansas say.

Our republican friends, both in and out of Congress are just now wonderfully exercised over the affaire her people's fitness for self-government? Hardly. of Kansas. They are, apparently, greatly shocked such a course would be the worst of tyranny, be cause they say it is denying to these poor people the own way. When did these gentlemen learn that Congress had no power over the affairs of the Territories, and that for it to undertake to meddle with them was a tyranny and an outrage? One of the distinctive features in their creed has been that the doctrine of popular sovereignty was all wrong, and that the right to legislate for the Territories belonged exclusively to Congress. This, if we remember aright, was a short time ago inscribed upon all their banners, and everywhere proclaimed by their orators and newspapers. When, we ask, did they becom converts to the great democratic doctrine of popular sovereignty and congressional non-intervention? When did they discover that the people of the Ter ritories had a right to manage their own affairs in their own way, and without the interference of Congress?

The "inconsistencies" and "discrepancies" in th Union's paragraph of the 31st ultimo announcing the Union's paragraph of the 31st ultime announcing the arrival of the messenger from Kansas with the State constitution exist not in the facts, but in the comprehension of them by our respected cotemporary of the Intelligencer. The vote at Delaware Crossing but nothing important was elicited—some of the off was received and counted because there was no limitation as to time within which the returns of the election for State officers might be made. The returns addressed to Acting Governor Denver were the votes received by the territorial officers appointed. votes received by the territorial officers appointed to take the vote upon the constitution; they had no authority to receive votes for State officers, or make any return thereof, and consequently these votes are clearly irregular, and should not be counted. The returns were not "alike irregularly made," as represented by the Intelligencer, and the counting of the one and rejection of the other seem to be sustained by every consideration of legal regularity.

statue of Daniel Webster has been lost in the ship

THE NICARAGUAN MEETING IN MORIL P. The papers of Mobile received by the last mai ontain the full proceedings of the meeting held omitted to do this, the people should prefer charge subjoined resolutions:

charges.

2. Resolved, That the legislature of the State of Ala bama, now in session, be requested to co-operate with the citizens of this city in bringing the offender to trial, and that they instruct our senators in Congress to see that such charges as may be preferred against said Paulding be presented to the Secretary of the Navy of the United States.

The New York Times is not at all satisfied with the Union's arithmetic touching the recent votes in Kansas upon and under the Lecompton constitution. The Times intimates that our calculations are not exactly honest-that we have no right to count the vote electing State officers to the legislature under the new constitution as an acquiescence in that instru ment. In legal practice a plea to the jurisdiction is not often accompanied with a plea upon the merits
It is an odd way to deny the validity of a law commanding the election of an officer by proceeding to elect him. At all events, when such is the case we insist that we shall be shielded from hard names by insisting that those who vote at least acquiesce in the

"Cincuit Court.—The long-pending suit of Smithson, Statham, & Co. ee. Wm. Mann was given to the jury on Friday, and a verdict rendered for defendant under instructions from the court. It is understood that it will be taken up on appeal to the Supreme Court. It is said that much ability and energy were exhibited in this case by the contending counsel on each side, producing more than a usually animated struggle. For plaintiff Messrs. Davidge, Ingle, Magruder, Chilton, and Carrington; for defendant, Messrs. Bradley and Gillet." We add to the foregoing brief statement the pri

cipal points ruled by the court:

1. That the 29th, 30th, 31st, and 32d sections of the act of 1817, which forbids the making and issuing of bills by unchartered partnerships and associa tions in this District, and declaring that contracts founded thereon, or securities taken therefor, were void, were repealed by the act of 1821, extending the charters of sundry banks, and that said section are not now in force. 2. That under the restraining law of July 7, 1838

it is unlawful to issue or pass, or offer to pass, in this District, by any individual, "any note, check draft, bank-bill, or any other paper currency, of a less denomination than five dollars." 3. That a contract made in this District where

such paper formed the whole or any portion of the consideration was void, and no recovery could be had upon it.

4. That where a contract was made in or make here and to be executed in New York, the considertion of which was to circulate in that State bills at money, whether of large or small denominations, is sued by an unchartered association, partnership, or company, without being specially authorized by law. such contract is prohibited by the statutes of that State, and no recovery could be had thereon.

5. That where an agent was employed to circulate bills for a per-centage, if he conducted the business as a prudent man would conduct the like busines for himself, and loss ensues by the non-payment of notes which he might take in the course of such business, the principal, and not the agent, must sustain such loss.

6. That if the jury should find the whole evidence presented in the cause to be true, (it being all in writing except the proof of signatures, which were not the subject of controversy,) it did not present a case entitling the plaintiffs to recover

We believe that some other points were decided, but, it is believed, of no general interest to the profession or public.

On the first page of to-day's paper will be found an advertisement from the Post Office Department embracing proposals for carrying the mails on certain new routes recently established in the severe States mentioned.

The Richmond (Va.) Enquirer of the 30th ultimo closes a long and able article on the subject of the admission of Kansas into the Union with the fallowing sensible remarks :

"The Kansas question has given trouble enough is the country; and we heartily hope that the Lecompta constitution will be received by Congress, and the controversy brought to an end. If the people of Kansas arreally dissatisfied with it, let them, then, call a State convention and remodel their organic laws. The Lecomptos constitution is surely not so oppressive in its provision that they will not be able to endure it for a few days wreaks. If so, it is not remultican; and that being its weeks. If so it is not republican; and that being it case, Congress, of course, could not receive it. Otherwise we say, open the doors of the Union and let bleeds Kansas in.

THE FILLIBUSTERS

Col. Frank Anderson's portion of Walker's expedi embracing thirty-nine men and six officers, arrived a Key West, Florida, on the United States steam-frigat Wabash on the 17th ult. On the 22d instant the men were arrested by the United States marsha

The Mobile Advertiser states that William Walke arrested in that city on Saturday, the 23d ultimo, by Co.

C. M. Godbold, the United States marshal, under a set
requiring his transfer to New Orleans to answer charge
preferred against him there. After argument of counse Judge Gayle decided that the record was not sufficient hold the prisoner in custody, and he was accordingly di

FLIGHT OF THE PLOSONS.—Millions of wild pigeons, as/ the Louisville Courier, passed over the city Friday ev-ning in their flight north. The flock seemed more than mile long, and they flew much higher than usual. Their flight north is indicative of mild weather for the balance